

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4043 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
Nos. 1 to 5 No

AHMEDABAD DISTRICT PANCHAYAT

Versus

PRAHLADBHAI T VAGHELA

Appearance:

MR.PR JOSHI FOR MR VIJAY H PATEL for Petitioner
MR KV GADHIA for Respondent.

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 08/08/97

ORAL JUDGEMENT

Rule.

Mr.Gadhia waives service of the Rule on behalf of the respondent.

The parties have agreed to settle the whole dispute with the relief of reinstatement to the respondent workman and the wages from the date of the Award i.e. 15.3.1996. Since it has been argued that the

respondent workman was a daily wager, the parties agreed that the wages of the respondent workman for the period beyond the date of the Award shall be computed on the basis of working out the average of the working days taking one year's period prior to the date of the termination as the basis. The learned Counsel for the petitioner agreed to issue appropriate orders accordingly on or before 1.9.1997 and the payment of the due amount shall be made by the end of September, 1997. The impugned Award dated 15.3.1996 passed by the Labour Court, Ahmedabad in Reference (LCA) No. 790/93 stands modified on the basis of the agreed terms as above and henceforth the rights and obligations of the parties shall be governed by this agreed order rather than the impugned order. This Special Civil Application is accordingly allowed in part and the Rule is made absolute in the terms as aforesaid. No order as to costs.

m.m.bhatt